

Click [HERE](#) to view the VIDEO of this meeting or click at any video icon () below to jump to that particular section of the meeting.

COMMITTEE OF THE WHOLE

WESTERLY TOWN COUNCIL

COUNCIL CHAMBERS

MONDAY

OCTOBER 17, 2016

6:00 P.M.

6:00 P.M. CALL TO ORDER **Present:**

Co. Pres. Silvestri; Vice Pres. Celico
 Councilors Carson, Overton, Gagnier, Duhamel, Sposato
 T. Mgr. Kennedy, T. Sol. Oliverio
 Co. Clerk Giordano, T. Sgt. Falcone
 Res Scott Harold, Town Council Student Representative

INVOCATION – Councilor Carson SALUTE TO THE FLAG – Council President Silvestri 1. Stillman Avenue Bridge – Reduction In Tonnage And Repair – Discussion 

Present: Robert Simmons, Representative, Town of Stonington, CT
 Michael Spellman, Selectman, Pawcatuck, CT
 Kate Rotella, Selectwoman, Mystic, CT

Representative Simmons stated that he and his colleagues are here because of their concern regarding a letter received from the State of Connecticut regarding the serious condition of the Stillman Avenue Bridge, copies of which have been sent to the RIDOT and the Westerly Department of Public Works. He addressed the status of the bridge stating that the bridge was rated in the past at 47 tons, but has been recently downgraded to 20 tons and that certain trucks are not able to use the bridge, which has an impact on fire safety and commerce. He stated that he and his colleagues are here to hopefully collaborate on path to repairing the bridge and have begun to search all files on the bridge, are making inquiries to CTDOT as to its records, and asking about state and federal funding. He expressed his hope and that of his Board of Selectmen that Westerly will join Stonington in a similar set of interrogatories. He noted that, regarding the repair of the White Rock Bridge, a memorandum of agreement was signed between the two states and the interested parties, which resulted in the successful repair of said bridge. He stated that he is hoping for the same result with the Stillman Avenue Bridge with minimal disruption to the citizens who use it, to safety personnel and to commercial activity. He stated that, as in the past, Stonington and Westerly will operate as two states, two towns, and one community. He noted from the letter from the State of Connecticut that the next step would be for the two municipalities to collaborate to engage a professional engineering firm. He stated that he will come back to Town Manager with a more discrete plan with specific goals and objectives prior to another Council meeting.

Councilor Sposato stated that he is in agreement with the Selectmen and felt that the Town Manager should be directed to research sources of funding for repair or replacement of the bridge. He expressed concern with the delays in the repair of the Boombridge Road bridge.

Councilor Carson expressed his dissatisfaction with the status of the Boombridge Road bridge repair and stated that the people who live in North Stonington and in the Boombridge area cannot be overlooked. He stated that funding was approved, but no progress has been made.

Selectman Spellman noted that the report also discussed maintenance of the White Rock Bridge and stated that there should be a collaborative effort in maintaining the White Rock Bridge in order to avoid costly major repairs.

It was the consensus of the Council to direct the Town Manager to coordinate with the Town of Stonington for the repair of the Stillman Avenue Bridge.

It was the consensus of the Council that the Town Manager coordinate a maintenance contract between the two communities for the White Rock Bridge.

2. Bradford Preserve -- Discussion

Present: James Federico, Chair, Westerly Municipal Land Trust
 Dr. Adam Kauffman, Lacrosse League
 Edward Haik, Member, Board of Recreation

Mr. Federico gave a synopsis of what transpired over the past seven years regarding the Bradford Preserve. He stated that, in 2009, the Municipal Land Trust and the Board of Recreation sought a Special Use Permit to provide for athletic fields at the Bradford Preserve. He reported that, over the past seven years, the Municipal Land Trust and the Board of Recreation met twice with the Planning Board and three times with the Zoning Board, alternately receiving approval at every step for two playing fields, two practice fields and a parking lot. He read aloud the language in the bond referendum, which authorized the purchase of the Bradford Preserve for open space/recreation and aquifer protection, noting that the referendum was overwhelmingly approved.

Council President Silvestri stated that he reviewed the minutes and the video of the Council meetings regarding the use of the Bradford Preserve by Lacrosse leagues and stated that the what he took from the information is that better communication was needed and that the Board of Recreation and the Municipal Land Trust were to reach out to the neighbors to try to resolve some of their concerns.

Councilor Duhamel explained that, when the Council purchased the property, it was not only to preserve the recreational value but to allow for other uses, resulting in its use today as a Lacrosse field. He stated that the Bradford Preserve was meant to be used as an amenity of the Town and that he supports what the Land Trust is doing.

Mr. Federico, Mr. Haik and Dr. Kauffman responded to questions from the Council regarding use of the field by other organizations, the use of an amplification system and lights at the field.

Dr. Kauffman reported on the amount of time the Lacrosse Team uses the Bradford Preserve Field, noting that it varies between six and seven days a week. He responded to Councilor Sposato regarding the use of the field on Sundays and an agreement reached with the neighbors regarding Sunday games. He explained that the first Special Use Permit prohibited games being held on Sundays; however, all of the restrictions were lifted under the second Special Use Permit. He stated that the organization is under the direction of the Recreation Board and the Land Trust which allowed for Sunday games.

Mr. Haik explained that the Sunday agreement was for the one-year probationary period and, that after the first Special Use Permit was lifted, the Board of Recreation allowed for Sunday games. He stated that the Recreation Board wants to work with the neighbors regarding scheduling of Saturday or Sunday games. He stated that the Recreation Board wants to communicate with everyone and that he was not aware of the neighbors' concerns, but that they should express their concerns before the board.

Councilor Celico stated that the restrictions lifted on a Special Use Permit after the first year by the Zoning Board do not have anything to do with the agreement reached with the neighbors. He stated that the Lacrosse Association is in violation of an agreement with the neighbors and should go back to the neighbors to modify the agreement.

Council President Silvestri noted the nine restrictions placed on the Special Use Permit by the Zoning Board, one being no games to be held on Sundays, and the lifting of the restrictions the following year. He noted that the change in the Special Use Permit was subject to a public hearing and felt that the neighbors should have been consulted.

Councilor Carson noted that the Westerly Land Trust is the steward of the Bradford Preserve and that it has been very responsible in regulating the activities on the field. He stated that the Land Trust has the best interest of the Town and especially the children. He felt that the townspeople made the right choice of purchasing the land for open space/recreation and with the intention of protecting the aquifer. He stated that he supports the current programs being held at the field and that he has no intention of supporting the installation of lights at the Bradford Preserve.

Councilor Overton stated that he is a proponent of sports, but also a conservationist and that there are good people on both sides of this issue. He stated that he has never seen a sports field in a nature preserve and that the type of recreation that should be in a nature preserve is low-impact recreation that will preserve and protect the eco-system. He compared the Bradford Preserve with the Avondale Preserve, noting that both are field-based eco-systems. He stated that the Bradford residents love their preserve and peace that it provides. He stated that he supports moving the Lacrosse League to a proper sports field and returning the Bradford Preserve to its natural state.

Participant: Kurt Snow, 170 Bradford Rd -- re: Use of the Bradford Preserve by the Lacrosse League; presented Exhibit A showing examples of conflicts of interest by members sitting on multiple boards; believed that referendum would have been rejected had people known that field was going to be used as a sports complex; witness cross-country meet taking place at field; noted how the Lacrosse League came to use the field; presented Exhibit B of Zoning Board decision of March 7, 2012 relating to Special Use Permit; neighbors never notified of meeting that addressed modification of special use permit in 2013; field used 8 months of the year; permanent fencing and electrical service installed; maintenance and upkeep being paid for by taxpayers at approximately \$15,000 annually; would like to see tax dollars used more efficiently; presented Exhibit C stating Westerly Municipal Land Trust mission statement, which is to preserve and protect the natural resources of Westerly; presented Exhibit D showing five-year plan of Bradford Preserve Sports Complex at a cost of \$74,000; plan to convert preserve into a full-blown sports complex; provided a list of restrictions being requested if the Lacrosse League is allowed to continue to use the Bradford Preserve

Mr. Snow responded to questions from the Council regarding the five-year plan.

Councilor Celico expressed concern with members sitting on multiple boards and voting on this project from those boards and the lack of notification to abutting neighbors of a Special Use Permit meeting. He stated that he would like to see proof of notification to the neighbors each time a meeting was held on the Special Use Permit for the property. He stated that the Municipal Land Trust has custody and control of the property and, therefore, would need approval from the Planning and Zoning Boards, not the Council, for the installation of lights at the Bradford Preserve.

Councilor Gagnier stated that he would like the Council to receive a copy of the schedule on the use of the field in order to know the impact on the field. He challenged the League, the Land Trust and the Recreation Board to look for other solutions at other sites in order to reach a compromise.

Mr. Haik stated that the Recreation Board's current five-year plan for the Bradford Preserve contains a possible irrigation system and not the other items listed in the five-year plan presented by Mr. Snow. He stated that he will set up a meeting of the Recreation Board once a year to hear and address the concerns of the Bradford residents.

Councilor Celico felt that the meetings between the Board of Recreation and the residents should be held quarterly until a point is reached that an annual meeting is sufficient.

Motion by Mr. Celico, Seconded by Mr. Gagnier, to recess the Committee of the Whole Workshop and convene the Regular Meeting.

7:00 P.M. RECESS THE COMMITTEE OF THE WHOLE AND CONVENE THE REGULAR MEETING

10:35 P.M. FIVE-MINUTE RECESS

10:40 P.M. RECONVENED THE COMMITTEE OF THE WHOLE WORKSHOP

3. Investment Policy For Police Pension – Discussion

Town Manager Kennedy reported that he, along with the Finance Department, is currently working with the new actuary. He stated that he emailed the Council with an update on figures if the long-term rate of return and the payback schedule were to be changed. He stated that he will be getting answers to Councilor Overton's questions regarding other long-term rates of return. He stated that the Council needs to understand that if the long-term rate of return is changed, there will be an increase in the liability, which will also decrease the funded level. He explained that, if the Town were to stay at the current 28-year amortization schedule and changes from the 7.5% long-term rate of return to a 7.25% long-term rate of return, the funded ratio would decrease from 68.8% to 66.7% and would increase the actuarially determined contribution up \$150,000. He stated that the Council has to determine the rate of return and then give that number to the actuary.

Councilor Overton stated that the Town has to recognize why the pension crisis hit to begin with and it was because the investment advisors were not hitting the 8% long-term assumed rate of return which drove the funding levels to be highly inadequate. He stated that they dropped the expected long term rate of return down to 7.5% which is positive. He stated that every advisor in the State is not hitting the 7.5% and the pension crisis is going to happen all over again in state and local plans and the way to handle this is to lower the assumed rate of return down to a level that should be fairly easily attainable by the investment advisor. He stated that the Town would want the advisors to consistently outperform the assumed rate of return which would automatically reduce the tens of millions of dollars of unfunded liabilities. He stated that the traditional level funding analysis provided by the Town Manager is a good starting point; however, the problem is that it is almost a nonstarter from the beginning because it is immediately expensive. He explained that the way to handle this is through stepped-up strategy by taking what is being funded now and gradually increase it on an annual basis. He stated that he recommended 2.5%, which the Town Manager forwarded to the former actuary, and by dropping the assumed rate of return down to 6.5% and increasing the annual contribution funding by 2.5%, which is lower than the historical rate of inflation, the Town may be able to have a completed funded pension plan in thirty years. He stated that, in reality, the Town's pension plan is probably 58% funded. He explained that it is important to have a fully funded pension plan because a key component to a pension plan is the investment earnings. He stated that every unfunded liability eventually slowly starves the pension plan of investment earnings. He stated that the Town wants to be proactive, not reactive.

Councilor Celico stated that the Town of Westery survived the last pension crisis. He requested that The Washington Trust Company provide the Council with information as to what it actually does on a yearly basis for the past ten years to the present because it will show if the Town is tracking toward a projected 7.5% long-term rate of return. He stated that The Washington Trust can also show how they accomplished the 7.5% over the past twenty years since 1996 and, if it hasn't come near the 7.5%, then the Town will need to change its projected rate of return. He noted that The Washington Trust Company should be able to give forty years of history over two twenty-year blocks.

7. Resolution Of The Town Of Westery To Establish The Dates For Amnesty Day 2016 (10/18/16 for White Goods, Furniture and Tires; 10/19/16 for Construction, Wood and Brush Disposal) – Discussion

It was the consensus of the Council that the aforesaid resolution be moved to the Regular Meeting to follow for consideration.

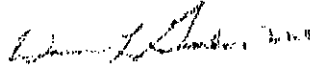
It was the consensus of the Council that the following issues be tabled to a Special Meeting on October 24, 2016:

4. Historic Cemeteries Ordinance – Discussion
5. 2014 \$6 Million Road Bond - Update
6. Beach Rights-of-Way – Update
8. Discussion of Charter Amendment Questions – Questions 30-34

ADJOURNMENT

11:05 P.M. Voted Unanimously to adjourn.

ATTEST:



**Donna L. Giordano, MMC
Council Clerk**

Details of the aforesaid proceedings are available on video on the Town of Westery website.

Published by ClerkBase
2017 by Clerkbase. No Claim to Original Government Works.



**Stacey Haskell
Recording Secretary**